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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/602,498	06/23/2003	Vladimir D. Fedorov	13768.370	2191
47973	7590	09/20/2006	[REDACTED]	EXAMINER
WORKMAN NYDEGGER/MICROSOFT 1000 EAGLE GATE TOWER 60 EAST SOUTH TEMPLE SALT LAKE CITY, UT 84111			MORRISON, JAY A	
			[REDACTED]	ART UNIT
				PAPER NUMBER
			2168	

DATE MAILED: 09/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	10/602,498	FEDOROV, VLADIMIR D.
	Examiner	Art Unit
	Jay A. Morrison	2168

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 17 July 2006.
 2a) This action is FINAL. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-10,24,42,43 and 45-51 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) _____ is/are allowed.
 6) Claim(s) 1-10,24,42-43,45-51 is/are rejected.
 7) Claim(s) _____ is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on 6/23/03 & 2/16/06 is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 7/17/06 has been entered.
2. Claims 1-10,24,42-43,45-51 are pending.

Claim Rejections - 35 USC § 101

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claims 2-10,24,43,45-51 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claims 2-10,24,43,45-51 recite "tangible computer readable media", which is defined on page 17 of the specification of the invention as including wireless connections. Because wireless signals, being a form of electromagnetic energy, do not fall into one of the statutory categories of 35 U.S.C. 101, the claim includes non-statutory subject matter. A detailed explanation describing why carrier waves are regarded as non-statutory subject matter under 35 U.S.C. 101 follows:

Claims that recite nothing but the physical characteristics of a form of energy, such as a frequency, voltage, or the strength of a magnetic field, define energy or magnetism, *per se*, and as such are nonstatutory natural phenomena. O'Reilly, 56 U.S. (15 How.) at 112-14. Moreover, it does not appear that a claim reciting a signal encoded with functional descriptive material falls within any of the categories of patentable subject matter set forth in § 101.

First, a claimed signal is clearly not a "process" under § 101 because it is not a series of steps. The other three § 101 classes of machine, compositions of matter and manufactures "relate to structural entities and can be grouped as 'product' claims in order to contrast them with process claims." 1 D. Chisum, Patents § 1.02 (1994). The three product classes have traditionally required physical structure or material.

"The term machine includes every mechanical device or combination of mechanical device or combination of mechanical powers and devices to perform some function and produce a certain effect or result." *Corning v. Burden*, 56 U.S. (15 How.) 252, 267 (1854). A modern definition of machine would no doubt include electronic devices which perform functions. Indeed, devices such as flip-flops and computers are referred to in computer science as sequential machines. A claimed signal has no physical structure, does not itself perform any useful, concrete and tangible result and, thus, does not fit within the definition of a machine.

A "composition of matter" "covers all compositions of two or more substances and includes all composite articles, whether they be results of chemical union, or of mechanical mixture, or whether they be gases, fluids, powders or solids." *Shell Development Co. v. Watson*, 149 F. Supp. 279, 280, 113 USPQ 265, 266 (D.D.C. 1957), aff'd, 252 F.2d 861, 116 USPQ 428 (D.C. Cir. 1958). A claimed signal is not matter, but a form of energy, and therefore is not a composition of matter.

The Supreme Court has read the term "manufacture" in accordance with its dictionary definition to mean "the production of articles for use from raw or prepared materials by giving to these materials new forms, qualities, properties, or combinations, whether by hand-labor or by machinery." *Diamond v. Chakrabarty*, 447 U.S. 303, 308, 206 USPQ 193, 196-97 (1980) (quoting *American Fruit Growers, Inc. v. Brogdex Co.*, 283 U.S. 1, 11, 8 USPQ 131, 133 (1931), which, in turn, quotes the Century Dictionary). Other courts have applied similar definitions. See *American Disappearing Bed Co. v. Arnaelsteen*, 182 F. 324, 325 (9th Cir. 1910), cert. denied, 220 U.S. 622 (1911). These definitions require physical substance, which a claimed signal does not have. Congress can be presumed to be aware of an administrative or judicial interpretation of a statute and to adopt that interpretation when it re-enacts a statute without change. *Lorillard v. Pons*, 434 U.S. 575, 580 (1978). Thus, Congress must be presumed to have been aware of the interpretation of manufacture in *American Fruit Growers* when it passed the 1952 Patent Act.

A manufacture is also defined as the residual class of product. 1 Chisum, § 1.02[3] (citing W. Robinson, *The Law of Patents for Useful Inventions* 270 (1890)).

A product is a tangible physical article or object, some form of matter, which a signal is not. That the other two product classes, machine and composition of matter, require physical matter is evidence that a manufacture was also intended to require physical matter. A signal, a form of energy, does not fall within either of the two definitions of manufacture. Thus, a signal does not fall within one of the four statutory classes of § 101.

It is noted that the Applicant amended the claims to specify "tangible" preceding the "computer readable medium", however this is not sufficiently different to overcome the rejection.

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claim 45 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 45 recites the header portion, which is data about the package, is enabled to call a reversion routine; it is not possible for data about something to actually do something. Header data is not operative, although it can contain pointers to functions or other operations. For purposes of examination, the Office assumes "call" to be "pointer".

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8. Claims 1-4,10,24,42,51 are rejected under 35 U.S.C. 103(a) as being unpatentable over De Meno et al. ('De Meno' hereinafter) (Patent Number 6,721,767) in view of Traversat et al. ('Traversat' hereinafter) (Patent Number 6,161,125).

As per claim 1, De Meno teaches

"based upon a request from a user or a selection from the software application, generating changes to the software application's ... ; updating a configuration store by storing therein the changed application ... of the software application to maintain a history of one or more ... changes for the software application" (column 2, lines 1-10; column 3, line 50 through column 4, line 18);

"retrieving the stored package when it desirable to revert the ... of the software application back to a state that existed prior to the changes in the ... so that the software application will be capable of operating on data in the same manner as the software application did with the previous ... that were used by the application software" (column 5, line 59 through column 6, line 9);

"and using the contents of the package and the changes to the ... of the software application uniquely identified by the package to revert the ... back to the configuration settings that existed prior to the changes identified by the package so the software application will thereafter be configured to operate on data in the same manner as the

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software application did prior to such changes" (application specific rollback software, column 4, lines 1-18).

De Meno does not explicitly indicate "generating a package that uniquely identifies the contents of the package and the changes to the software application's configuration settings so that the package will then be later recalled and used when reverting the configuration settings of the software application back to a state that existed prior to the changes in the configuration settings".

However, Traversat discloses "generating a package that uniquely identifies the contents of the package and the changes to the software application's configuration settings so that the package can be later recalled and used when reverting the configuration settings of the software application back to a state that existed prior to the changes in the configuration settings" (column 12, lines 1-15);

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine De Meno and Traversat because using the steps "generating a package that uniquely identifies the contents of the package and the changes to the software application's configuration settings so that the package can be later recalled and used when reverting the configuration settings of the software application back to a state that existed prior to the changes in the configuration settings" would have given those skilled in the art the tools to improve the invention by allow users who must use different client computers at different locations to maintain personal preferences to the application and configuration data. This gives the user the advantage of having their configuration preferences saved for future use on many different computers.

De Meno does not explicitly indicate “storing the package in a software application configuration log”.

However, Traversat discloses “storing the package in a software application configuration log” (column 6, lines 32-51);

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine De Meno and Traversat because using the steps “storing the package in a software application configuration log” would have given those skilled in the art the tools to improve the invention by allowing administrators to manage configurations on a server. This gives the user the advantage of having a centralized repository for all saved configurations.

De Meno does not disclose “configuration settings”.

However, Traversat discloses “configuration settings” (configuration information, column 6, lines 1-15).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine De Meno and Traversat because using the steps “the configuration settings” would have given those skilled in the art the tools to improve the invention by having a system which supports distributed management of client configurations. This gives the user the advantage of being able to have the ability to have a backup source for configuration settings.

As per claim 2, De Meno teaches

"using the contents of the package to revert ... comprises calling a reversion routine and passing at least a portion of the contents of the package to the routine"
(application specific rollback software, column 4, lines 1-18)

"and wherein the routine displays a link that gives user instructions on procedural steps to perform in order to revert to the previous configuration setting" (help button, column 6, lines 1-9).

De Meno does not explicitly indicate "the configuration settings".

However, Traversat discloses "the configuration settings" (configuration information, column 6, lines 1-15).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine De Meno and Traversat because using the steps "the configuration settings" would have given those skilled in the art the tools to improve the invention by having a system which supports distributed management of client configurations. This gives the user the advantage of being able to have the ability to have a backup source for configuration settings.

As per claim 3, De Meno teaches

"the routine automatically reverts to the application's previous configuration setting" (information retrieval processor, column 4, lines 1-26).

As per claim 4, De Meno teaches

"the reversion which occurs when using the contents of the package to revert ... back to the application's previous ... is one of an undo, redo or rollback operation" (column 4, lines 1-18).

De Meno does not explicitly indicate "the configuration settings ... configuration setting".

However Traversat discloses "the configuration settings ... configuration setting" (configuration information, column 6, lines 1-15).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine De Meno and Traversat because using the steps "the configuration settings ... configuration setting" would have given those skilled in the art the tools to improve the invention by having a system which supports distributed management of client configurations. This gives the user the advantage of being able to have the ability to have a backup source for configuration settings.

As per claim 10, De Meno teaches "using the contents of the package to revert ... back to the configuration settings that existed prior to the changes identified by the package comprises displaying a representation of the ... within one or more user interfaces for viewing and selections and wherein at least one of the one or more user interfaces is a browser" (column 5, line 39 through column 6, line 9).

De Meno does not explicitly indicate "the configuration settings ... application configuration information".

However, Traversat discloses "the configuration settings ... application configuration information" (configuration information, column 6, lines 1-15).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine De Meno and Traversat because using the steps "the configuration settings ... application configuration information" would have given those skilled in the art the tools to improve the invention by having a system which supports distributed management of client configurations. This gives the user the advantage of being able to have the ability to have a backup source for configuration settings.

As per claim 24, De Meno teaches

This claim is rejected on grounds corresponding to the arguments given above for rejected claim 1 and is similarly rejected.

As per claim 42, De Meno teaches

"based upon a request from a user or a selection from the software application, generating changes to the software application's" (column 2, lines 1-10);
"updating a configuration store by storing therein the changed application ... of the software application to maintain a history of one or more ... changes for the software application" (column 3, lines 50-67);

"generating a package that uniquely identifies the contents of the package and the changes to the software application's configuration settings so that the package will then be later recalled and used when reverting the configuration settings of the software

application back to a state that existed prior to the changes in the configuration settings, the package comprising, a header portion including at least one of a title of the changes made a name of the application software, the date and the time of the configuration changes, and an application payload portion containing: data used in assisting in reverting the software application to its previous configuration setting prior to the changes" (column 3, lines 50-67; column 5, line 40 through column 6, line 9; note: the filename is title, date and time is stored with file, and all are included in the header of the file);

"storing the package in a software application configuration log which comprises, a log store used to store the package" (index, column 3, lines 50-67) ", and a user interface (UI) to browse the stored log to display the information contained in the header portion of the package so that a history of configuration changes are viewed and changes of interest are selected to use in reverting the software application to at least some of the prior ... that existed prior to the changes reflected in the package" (column 5, line 39 through column 6, line 9);

"retrieving the stored package when it desirable to revert at least some of the ... of the software application back to a state that existed prior to the changes in the configuration settings so that the software application will be configured to operate operating on data in the same manner as the software application did with the at least some previous ... that were used by the application software" (column 4, lines 1-18);

"viewing the header portion of the package and selecting from the history of configuration changes therein at least some changes to be reverted" (column 5, lines 39 through column 6, line 9);

"and using the contents of the package and the application payload portion thereof to revert at least the selected changes of the ... back to the configuration settings that existed prior to the changes so the software application will thereafter be configured to operate on data in the same manner as the software application did prior to such changes" (column 4, lines 1-18).

De Meno does not disclose "configuration settings".

However, Traversat discloses "configuration settings" (configuration information, column 6, lines 1-15).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine De Meno and Traversat because using the steps "the configuration settings" would have given those skilled in the art the tools to improve the invention by having a system which supports distributed management of client configurations. This gives the user the advantage of being able to have the ability to have a backup source for configuration settings.

As per claim 51,

This claim is rejected on grounds corresponding to the arguments given above for rejected claim 42 and is similarly rejected.

9. Claims 5-9,43,45-50 are rejected under 35 U.S.C. 103(a) as being unpatentable over De Meno et al. ('De Meno' hereinafter) (Patent Number 6,721,767) in view of Traversat et al. ('Traversat' hereinafter) (Patent Number 6,161,125), and further in view of Hammack et al. ('Hammack' hereinafter), US Patent 6,449,624.

With respect to claim 5,

De Meno teaches "that is passed to the routine for reverting to the application's previous configuration" (application specific rollback software, column 4, lines 1-18).

De Meno does not explicitly indicate "the application configuration information is XML data comprising a header portion and an application portion, wherein the header portion comprises data used in the displaying a representation of the application configuration information, and wherein the application portion comprises data."

However, Hammack teaches "the application configuration information is XML data comprising a header portion and an application portion, wherein the header portion comprises data used in the displaying a representation of the application configuration information, and wherein the application portion comprises data" (XML configuration version data, column 21, lines 33-57, and column 22, lines 36-58).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine De Meno and Hammack because using the steps "the application configuration information is XML data comprising a header portion and an application portion, wherein the header portion comprises data used in the displaying a representation of the application configuration information, and wherein the application

portion comprises data" would have given those skilled in the art the tools to improve the invention by allowing information to be described using a standardized markup language. This gives the user the advantage of being able to have the ability to quickly and easily distinguish, segment, and/or process the data.

With respect to claim 6,

De Meno does not explicitly disclose "the header data used in the displaying a representation of the application configuration information is selected from at least one of a title, application name, date or time."

However, Hammack teaches "the header data used in the displaying a representation of the application configuration information is selected from at least one of a title, application name, date or time" (version control data including date and time, column 23, line 64 through column 24, line 23, and figure 16).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine De Meno and Hammack because using the steps "the header data used in the displaying a representation of the application configuration information is selected from at least one of a title, application name, date or time" would have given those skilled in the art the tools to improve the invention by allowing important information insured to be included. This gives the user the advantage of being able to have the ability to have minimum information available so that required processing can be accomplished.

With respect to claim 7,

De Meno does not explicitly indicate “the header portion further comprises the reversion routine called.”

However, Hammack teaches “the header portion further comprises the reversion routine called” (XML containing initial or root module, column 22, lines 16-35).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine De Meno and Hammack because using the steps “the header portion further comprises the reversion routine called” would have given those skilled in the art the tools to improve the invention by allowing the appropriate reversion routine to be called. This gives the user the advantage of being able to have the ability to have one of a multitude of reversion routines to be called.

With respect to claim 8,

De Meno does not explicitly indicate “the header portion further comprises a pointer to the reversion routine called.”

However, Hammack teaches “the header portion further comprises a pointer to the reversion routine called” (linked function blocks, column 6, lines 51-67).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine De Meno and Hammack because using the steps “the header portion further comprises a pointer to the reversion routine called” would have given those skilled in the art the tools to improve the invention by allowing the appropriate

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reversion routine to be called. This gives the user the advantage of being able to have the ability to have one of a multitude of reversion routines to be called.

With respect to claim 9,

De Meno does not explicitly indicate "routine calls one or more other routines."

However, Hammack teaches "routine calls one or more other routines" (module element optionally containing element nodes that contain additional elements to extract configuration information, column 22, lines 16-67).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine De Meno and Hammack because using the steps "the header portion further comprises the reversion routine called" would have given those skilled in the art the tools to improve the invention by allowing the configuration routine to call any number of reversion routines instead of just one. This gives the user the advantage of being able to have the ability to not be limited to executing a single task in order to rebuild configuration information.

As per claim 43,

De Meno does not explicitly indicate "the package of information is XML data".

However, Hammack discloses "the package of information is XML data" (XML document, column 21, lines 33-65, and column 22, lines 36-58).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine De Meno and Hammack because using the steps "the application

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configuration information is XML data comprising a header portion and an application portion, wherein the header portion comprises data used in displaying a representation of the application configuration information, and wherein the application portion comprises data" would have given those skilled in the art the tools to improve the invention by allowing information to be described using a standardized markup language. This gives the user the advantage of being able to have the ability to quickly and easily distinguish, segment, and/or process the data.

As per claim 45,

This claim is rejected on grounds corresponding to the arguments given above for rejected claim 8 and is similarly rejected.

As per claim 46,

This claim is rejected on grounds corresponding to the arguments given above for rejected claim 8 and is similarly rejected.

As per claim 47,

This claim is rejected on grounds corresponding to the arguments given above for rejected claim 9 and is similarly rejected.

As per claim 48, De Meno teaches

"the reversion routine displays a link that gives user instructions on procedural steps to perform in order to revert to the previous configuration setting" (column 6, lines 1-9).

As per claim 49, De Meno teaches

"the reversion routine automatically reverts to the application's previous configuration setting" (column 4, lines 1-26).

As per claim 50,

This claim is rejected on grounds corresponding to the arguments given above for rejected claim 4 and is similarly rejected.

Response to Arguments

10. Applicant's arguments filed 7/17/06 have been fully considered but they are not persuasive.

Applicant argued that the 35 U.S.C. 112, second paragraph rejection to claim 45 was improper. The Microsoft dictionary definition provided by the Applicant highlights the reason for the rejection. The definition reads "In a program, an instruction or statement that transfers program execution to some section of code, such as a subroutine, to perform a specific task." Since the header portion of the package is not a program, nor is it executable or executed, but contains information about the contents of the package, it could not contain a call to a routine. It is respectfully submitted that one

of skill in the art would recognize that a pointer to a routine is possible (as in claim 46) but not a call to a routine as claimed.

In response to Applicant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971).

In response to the argument that the proposed modification would make the De Meno system unsuitable for its intended use, it is respectfully submitted that the modification in the case referenced in the Applicant cited MPEP section (MPEP 2143.01 V) is not analogous to the proposed modification of the De Meno system. In the case cited in the referenced MPEP section, *In re Gordon*, 733 F.2d 900, 221 USPQ 1125 (Fed. Cir. 1984), the functioning of the filtering device is physically impossible for the proposed modification. This is not analogous to a piece of software where the data being stored and recovered is immaterial to the function of the system. When recovered, the use of that data is easily adapted to various functions, such as the De Meno system or the system made obvious by De Meno in view of Traversat. Software is a very adaptable and pluggable technology, as anyone of skill in the art will attest to,

and therefor a comparison between a physically impossible modification for an intended use and a design in a virtual environment is not equivalent.

Conclusion

11. The prior art made of record, listed on form PTO-892, and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jay A. Morrison whose telephone number is (571) 272-7112. The examiner can normally be reached on M-F 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tim Vo can be reached on (571) 272-3642. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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